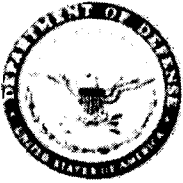


2012-218-E
239908



DEPARTMENT OF THE NAVY
OFFICE OF THE GENERAL COUNSEL
NAVY LITIGATION OFFICE
720 KENNON STREET SE RM 233
WASHINGTON NAVY YARD DC 20374-5013

October 19, 2012

Daniel E. Shearouse
Clerk of Court
Supreme Court of South Carolina
1231 Gervais St.
Columbia, South Carolina, 29201

Re: Petition for waiver of fees associated with
Application for *Pro Hac Vice* Admission

Dear Mr. Shearouse:

Please find enclosed an original and six copies of the following:

- (1) Petition for Waiver of *Pro Hac Vice* Admission Fee and Motion Fee;
- (2) Verified Application for Admission *Pro Hac Vice*.

If you have any questions or if anything additional is required please call me at (202) 685-2235. Your consideration in this regard is very much appreciated.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ellen M. Evans", is written over the typed name.

Ellen M. Evans
Senior Trial Attorney

10/22/12

10/22/12
MAIL/10/22/12

BEFORE THE
SOUTH CAROLINA SUPREME COURT

In re: Verified Application
for Admission *Pro Hac Vice* of Ellen M. Evans

Petition for Waiver of *Pro Hac Vice* Admission Fee and Motion Fee

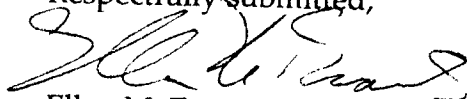
Petitioner, Ellen M. Evans, respectfully requests that the filing fees for the attached Application for Admission *Pro Hac Vice* and for this Petition be waived for the following reasons:

Petitioner is employed, full-time, as an attorney for the Department of the Navy in the Office of the General Counsel's Naval Litigation Office. Her regular duties include filing petitions to intervene in proceedings before state utilities commissions. She has been appointed a Special Assistant United States Attorney to represent the Navy and the Federal Executive Agencies (FEA) before the South Carolina Public Service Commission, and in doing so is performing an official function for the federal Government.

Requiring fees to be paid each time the Navy and the FEA intervene in proceedings before state utilities commissions would impose an unnecessary restriction on the efficient operation of the federal Government in carrying out an official function, under basic notions of sovereign immunity.

Wherefore, petitioner prays that this motion be granted waiving the fees which would otherwise be due for filing this petition and for filing the Application for Admission *pro hac vice*, and that her Application for Admission *Pro Hac Vice* be granted.

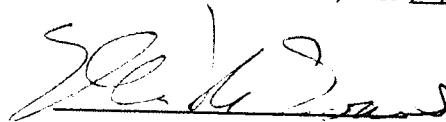
Respectfully submitted,



Ellen M. Evans
Senior Trial Attorney
Naval Litigation Office
720 Kennon St., Bldg. 36, Room 233
Washington Navy Yard, DC 20374
(202) 685-2235

Certificate of Service

I certify that a copy of this motion and the attached Verified Application for Admission *Pro Hac Vice* has been served on all parties and individuals identified on the service list for the matter pending before the Public Service Commission of South Carolina under Docket No. 2012-218-E, by electronic mail and/or U.S. mail, this 19 day of Oct, 2012.



Ellen M. Evans

**VERIFIED APPLICATION FOR ADMISSION *PRO HAC VICE*
IN THE STATE OF SOUTH CAROLINA**

IN THE MATTER OF:

Docket No. 2012-218-E

Application of South Carolina
Electric & Gas Company for
Adjustments in the Company's
Electric Rate Schedules and Tariffs
and Request for Mid-Period Reduction
in Base Rates for Fuel

Public Service Commission of South Carolina

Mailing Address: 101 Executive Center Dr.
Suite 1000
Columbia, SC 29210

Comes now Ellen M. Evans, applicant herein, and respectfully represents the following:

1. Applicant resides at 5801 Hunting Creek Road, Alexandria, County of Fairfax, VA 22303; telephone number 703-799-7541.
2. Applicant is an attorney and a member of the Office of the General Counsel for the Department of the Navy, Naval Litigation Office, with offices at 720 Kennon St., Room 233, Bldg. 36, Washington Navy Yard, D.C. 20374; telephone number 202-685-2235; fax number 202-685-7036 or 7037.
3. Applicant has been retained as a member of the Office of the General Counsel for the Department of the Navy to represent the Department of the Navy and all Federal Executive Agencies (FEA) in connection with the above case now pending before the above named regulatory agency of the State of South Carolina.
4. Since April 16, 1982, applicant has been, and presently is, a member in good standing of the bar of the highest court of the State of Louisiana. Attached is a certificate of good standing.
5. Applicant has been admitted to practice before the following courts:

Court:

Date Admitted:

Louisiana Supreme Court
United States District Court, ED LA
United States District Court, MD LA
United States Court of Federal Claims

April 16, 1982
July 14, 1982
August 2, 1982
December 4, 1997

Applicant is presently a member in good standing of the bars of those courts listed above, except that admission before the US District Courts in Louisiana (Eastern

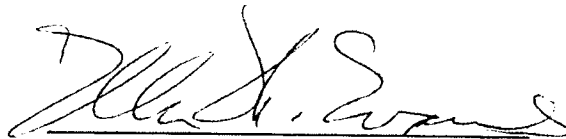
and Middle Districts) was not maintained (fees and filings not made) after applicant went to work outside the State of Louisiana for the United States Government.

6. Applicant presently is not subject to any suspension or disbarment proceedings, and has not been formally notified of any complaints pending before a disciplinary agency.
7. Applicant never has had any application for admission *pro hac* vice in this or any other jurisdiction denied or any *pro hac* vice admission revoked.
8. Applicant never has had any certificate or privilege to appear and practice before any administrative body suspended or revoked.
9. Local counsel of record associated with applicant in this case is Michael S. Roys, of the Office of the General Counsel for the Department of the Navy, Space and Naval Warfare, which has offices in North Charleston at the following address: Commanding Officer, Space and Naval Warfare Systems Center Atlantic, Attn: Michael S. Roys, Legal Office – Code 30, P.O. Box 190022, North Charleston, SC 29419-9022; telephone 843-218-5984.

There are no other firms/attorneys applicant is associated with in this matter.

10. Applicant has not previously filed an application to appear *pro hac* vice in South Carolina.
11. Applicant agrees to comply with the applicable statutes, laws and rules of the State of South Carolina and will familiarize herself with and comply with the South Carolina Rules of Professional Conduct. Applicant consents to the jurisdiction of the South Carolina courts and Commission on Lawyer Conduct.
12. Applicant respectfully requests to be admitted to practice in the above regulatory agency for this case only.

DATED this 9th day of October, 2012.

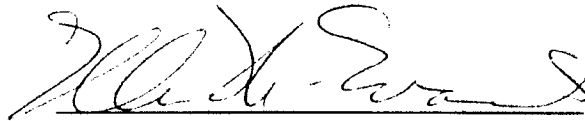

APPLICANT

VERIFICATION

DISTRICT OF COLUMBIA

I, Ellen M. Evans, do hereby swear or affirm under penalty of perjury that I am the applicant in the above styled matter; that I have read the foregoing application and know the contents thereof; and that the contents are true of my own knowledge, except

as to those matters stated on information and belief, and that as to those matters I believe them to be true.



APPLICANT/AFFIANT

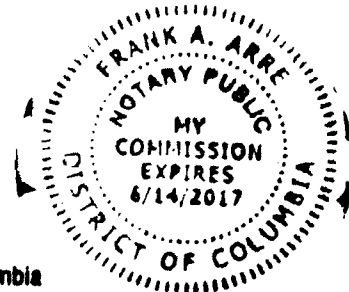
Subscribed and sworn to before me this 9th day of October, 2012

Notary Public for the District of Columbia

My Commission Expires: 6/14/2017



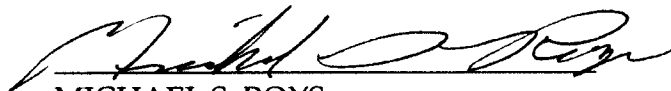
Frank A. Arre
Notary Public, District of Columbia
My Commission Expires 6/14/2017



LOCAL COUNSEL CONSENT

I hereby consent, as local counsel of record, to the association of applicant in this cause pursuant to Rule Governing Admission *Pro Hac Vice* to the South Carolina Bar.

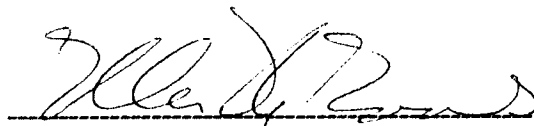
DATED this 12th day of October, 2012.



MICHAEL S. ROYS
LOCAL COUNSEL OF RECORD

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of this application upon the South Carolina Supreme Court by ~~mail~~ ^{Fed Ex} addressed to: South Carolina Supreme Court Office of Bar Admission, P.O. Box 11330, Columbia, SC 29211 on this 19th day of October, 2012.



APPLICANT/AFFIANT

Louisiana State Bar Association

The Louisiana State Bar Association hereby certifies that _____

Ms. Ellen M Evans

Office Of The General Counsel
720 Kennon St SE Rm 233

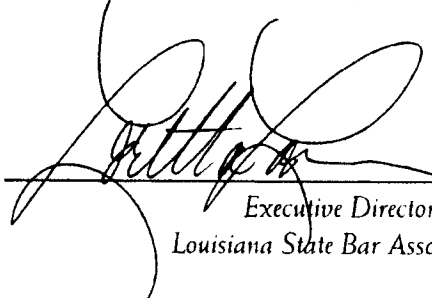
whose address is _____

Washington, DC 20374-5013

is a member in good standing of the Louisiana State Bar Association as of this date, and that
said person was duly admitted to practice in the courts of the State of Louisiana on the

16th day of April 1982

Given over my hand and the Seal of the Louisiana State Bar Association, this 19th
day of September 2012



Executive Director
Louisiana State Bar Association